

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

---

**BENJAMIN JOHN BIESE,**

Petitioner,

**v.**

**Case No. 14-C-571**

**WILLIAM POLLARD,**

Warden, Waupun Correctional Institution,

Respondent.

---

**DECISION AND ORDER**

---

On March 19, 2014, pro se Petitioner Benjamin John Biese (“Biese”), currently incarcerated at Waupun Correctional Institution (“WCI”), filed a petition for relief pursuant to 28 U.S.C. § 2254 challenging his state conviction. Biese filed a request to proceed without payment of the filing fee. The form requires that a certified copy of the prisoner’s trust account statement for the past six months be filed. On March 19, 2014, the Clerk of Court sent a letter informing Biese that his certified trust account statement must be filed within 21 days.

On June 2, 2014, Biese filed a letter indicating that he needs an order for the trust account statement. On June 9, 2014, Biese filed a letter requesting additional time to file his trust account statement.

Biese’s request for an order to obtain a certified copy of his trust account statement is unusual. He has completed the form authorizing WCI to release a certified copy of his trust account statement, and once that form is completed,

correctional institutions within this District routinely forward a copy of the prisoner's certified prison trust account statements to the prisoner for filing. Biese provides no information as to why WCI has not done so in this case. However, under these circumstances, Biese's request is granted. Furthermore, his request for an extension of time to file that statement is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:**

**No later than July 3, 2014**, the responsible WCI official **MUST PROVIDE** Biese with a certified copy of his trust account statement; and

**No later than July 18, 2014**, Biese **MUST FILE** the certified copy of his trust account statement.

Dated at Milwaukee, Wisconsin, this 24th day of June, 2014.

**BY THE COURT:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**